

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL THOMAS, ROMELO RIVERA, :
and VERNIECE CARMONA, Individually :
and on behalf of all other persons similarly :
situated, :
Plaintiffs, : No. 1:21-cv-01325 (BMC)
: Oral Argument Requested
-against- :
AMAZON.COM, INC., :
Defendant. :
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NOTICE OF DEFENDANT'S MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and declaration of Gabrielle Levin, dated May 27, 2021, and all prior papers and proceedings had herein, Defendant Amazon.com, Inc., (“Amazon”) respectfully moves this Court, before the Honorable Brian M. Cogan, United States District Court for the Eastern District of New York, at the Theodore Roosevelt United States Courthouse, 225 Cadman Plaza East, Room 704S, Brooklyn, NY 11201, for an order dismissing with prejudice Plaintiffs’ First Amended Class Action Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6).

Pursuant to this Court’s Order dated May 13, 2021, *see* May 13, 2021 Order regarding Initial Conference Hearing, Plaintiffs’ brief in opposition is due June 10, 2021, and Amazon’s reply brief is due June 17, 2021.

Dated: May 27, 2021

Respectfully submitted,

/s/ Gabrielle Levin
Gabrielle Levin

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